

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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U.S. BANK N. A., AS TRUSTEE F/B/O
HOLDERS OF STRUCTURED ASSET
MORTGAGE INVESTMENTS II INC.,
BEAR STEARNS ALT-A TRUST,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-3,

Case No. 2:16-CV-02774-RFB-PAL

ORDER

Plaintiff,

V.

CAPITOL REEF REVOCABLE TRUST

Defendants

On April 21, 2017, this Court certified a question of law regarding NRS 116's notice requirement to the Nevada Supreme Court in Bank of N.Y. Mellon v. Star Hill Homeowners Ass'n, Case No. 2:16-cv-02561-RFB-PAL, ECF No. 41. The Court finds that the outcome of that decision will impact the pending motions in this case. For reasons of judicial economy and to avoid inconsistent decisions or partial decisions on some but not all issues, the Court will not consider any further motions until the parties have had the opportunity to receive and address the Nevada Supreme Court's opinion on this issue.

IT IS THEREFORE ORDERED that this case is hereby STAYED.

IT IS FURTHER ORDERED that Defendant Capitol Reef Revocable Trust Motion to Dismiss and Motion for Summary Judgment are DENIED without prejudice. ECF No. 14, 33. The moving party shall have 21 days from the date of the Nevada Supreme Court's decision on the

certified question to file a modified Motion for Summary Judgment or to file a notice renewing the previously filed motion. The opposing party shall have 21 days to respond. The moving party shall have 14 days to reply.

IT IS FURTHER ORDERED that Plaintiff U.S. Bank N.A Motion for Summary Judgment is DENIED without prejudice. ECF No. 30. The moving party shall have 21 days from the date of the Nevada Supreme Court's decision on the certified question to file a modified Motion for Summary Judgment or to file a notice renewing the previously filed motion. The opposing party shall have 21 days to respond. The moving party shall have 14 days to reply

DATED this 22nd day of March, 2018.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE